

A U S T I N C I T Y C O U N C I L
AGENDA



Thursday, July 27, 2006

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**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 134

Subject: C14-06-0087 - Lake Austin Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2307 Lake Austin Boulevard (Town Lake Watershed) from multi-family residence-medium density (MF-3) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant and Agent: Denver Dunlap. City Staff: Jorge E. Rousselin, 974-2975.

**Additional Backup
Material**

(click to open)

- [Staff Report](#)
- [Ordinance](#)

For More Information: Jorge E. Rousselin, 974-2975.

ZONING REVIEW SHEET**CASE:** C14-06-0087**Z.A.P. DATE:** June 6, 2006
June 20, 2006**ADDRESS:** 2307 Lake Austin Boulevard**OWNER / AGENT:** Denver Dunlap**REZONING FROM:** MF-3 (Multi-family residence – medium density)**TO:** CS-MU (Commercial services – mixed use)**AREA:** 0.143 Acres (6,250 square feet)**SUMMARY ZONING AND PLATTING RECOMMENDATION:***June 20, 2006:***APPROVED STAFF'S RECOMMENDATION FOR GR-MU-CO ZONING WITH CONDITIONS:
THE RECOMMENDED CONDITIONAL OVERLAY SHALL PROHIBIT THE FOLLOWING USES:**

- NO VEHICULAR ACCESS TO LAKE AUSTIN BLVD.
- LIMITED TO LR (NEIGHBORHOOD COMMERCIAL) STANDARDS & SITE REGULATIONS

PROHIBITED USES:

- | | |
|------------------------------------|--|
| ▪ AUTOMOTIVE RENTALS | ▪ HOTEL-MOTEL |
| ▪ AUTOMOTIVE REPAIR SERVICES | ▪ INDOOR ENTERTAINMENT |
| ▪ AUTOMOTIVE SALES | ▪ MEDICAL OFFICES (EXCEEDING 5, 000 SQ. FT. OF GROSS FLOOR AREA) |
| ▪ AUTOMOTIVE WASHING (OF ANY TYPE) | ▪ MEDICAL OFFICES (NOT EXCEEDING 5, 000 SQ. FT. OF GROSS FLOOR AREA) |
| ▪ COMMERCIAL OFF-STREET PARKING | ▪ OUTDOOR SPORTS AND RECREATION |
| ▪ DAY CARE SERVICES (COMMERCIAL) | ▪ PAWN SHOP SERVICES |
| ▪ EXTERMINATING SERVICES | ▪ PET SERVICES |
| ▪ FINANCIAL SERVICES | ▪ SERVICE STATION |
| ▪ FUNERAL SERVICES | |
| ▪ GUIDANCE SERVICES | |
| ▪ HOSPITAL SERVICES | |

*[M.HAWTHORNE, J.PINNELLI 2ND] (7-0) J.GOHIL, S.HALE – ABSENT***SUMMARY STAFF RECOMMENDATION:**

Staff's recommends denial of CS-MU (Commercial services – mixed use) district zoning and offers an alternate recommendation of GR-MU-CO. The recommended conditional overlay shall prohibit the following uses:

- | | |
|------------------------------------|---------------------------------|
| ▪ Automotive rentals | ▪ Commercial off-street parking |
| ▪ Automotive repair services | ▪ Pawn shop services |
| ▪ Automotive sales | ▪ Service station |
| ▪ Automotive washing (of any type) | |

The alternate recommendation is based on the following considerations:

- 0.) The intensity of the requested zoning is not compatible with existing commercial and office zoning classifications along Lake Austin Boulevard;
- 0.) GR-MU zoning will allow for the requested uses and is compatible with existing adjacent land uses; and
- 0.) The recommended conditional overlay will further limit incompatible uses within GR zoning.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 0.143 acre (6,250 square feet) site fronting Lake Austin Boulevard zoned MF-3. The site is developed with an existing multi-family structure. Access to the site is via Lake Austin Boulevard to the north and Foster Avenue to the south. The applicant proposes to rezone the property to CS-MU to allow for the use of an office and a restaurant as well as a residence. An increase to the impervious cover is sought to 95% for a proposed parking area. The existing watershed regulations limit the amount of impervious cover on this site to 40% for commercial uses. The property lies within the Waterfront Overlay and the University / Deep Eddy Sub-district and will be subject to the provisions of 25-2-721 and 25-2-744. Furthermore, the site will be subject to compatibility standards along the south and east property line abutting "P" and "SF-3" zoning. The site also lies within a scenic roadway.

CS Development Standards:

CS	
Maximum Height:	60 feet
Maximum Building Coverage:	95%
Maximum Impervious Cover:	95%
Maximum Floor Area Ratio:	2:1

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

GR Development Standards:

GR	
Maximum Height:	60 feet
Maximum Building Coverage:	75%
Maximum Impervious Cover:	90%
Maximum Floor Area Ratio:	1:1

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-3	Apartments
<i>North</i>	LR	Restaurant
<i>South</i>	P	EMS Station
<i>East</i>	SF-3	Undeveloped land
<i>West</i>	GR	Offices

AREA STUDY: N/A

TIA: N/A

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

- 511--Austin Neighborhoods Council
- 742--Austin Independent School District

SCHOOLS:

- Austin Independent School District
 - Matthews Elementary School

- O. Henry Middle School
- Austin High School

RELATED CASES: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0012	SF-3 to NO	03/21/06: ZAP RECOMMENDED DENIAL OF NO (8-0).	05/25/06: WITHDRAWN BY APPLICANT
C14-03-0058	SF-3 to NO	05/06/03: ZAP DENIED STAFF REC OF NO-MU (8-0).	11/06/03: DENIED NO-MU-CO (6-1, DT-NO).
C14-99-0105	SF-3 to GR-CO	07/13/99: PC APVD GR (7-0).	07/15/99: APVD GR-CO (6-0) 1ST RDG. 08/26/99: APVD GR-CO W/CONDS (7-0) 2ND/3RD RDG. CO: <ul style="list-style-type: none"> ▪ No vehicular access to Lake Austin Blvd. ▪ Limited to LR standards & regs. Prohibited uses: <ul style="list-style-type: none"> ▪ Automotive rentals ▪ Automotive repair services ▪ Commercial off-street parking ▪ Financial services ▪ Hotel-motel ▪ Medical offices ▪ Pawn shop services ▪ Restaurant (general) ▪ Day care services (commercial) ▪ Hospital services ▪ Automotive sales ▪ Automotive washing (of any type) ▪ Exterminating services ▪ Funeral services ▪ Indoor entertainment ▪ Outdoor sports and recreation ▪ Pet services ▪ Service station ▪ Guidance services
C14H-01-0010	P to P-H	09/11/01: ZAP APVD P-H BY CONSENT (7-0).	09/27/01: APVD P-H (7-0); ALL 3 RDGS.
C14H-00-0008	SF-3 to SF-3-H	08/07/01: PP INDEF (STAFF); (9-0)	WITHDRAWN

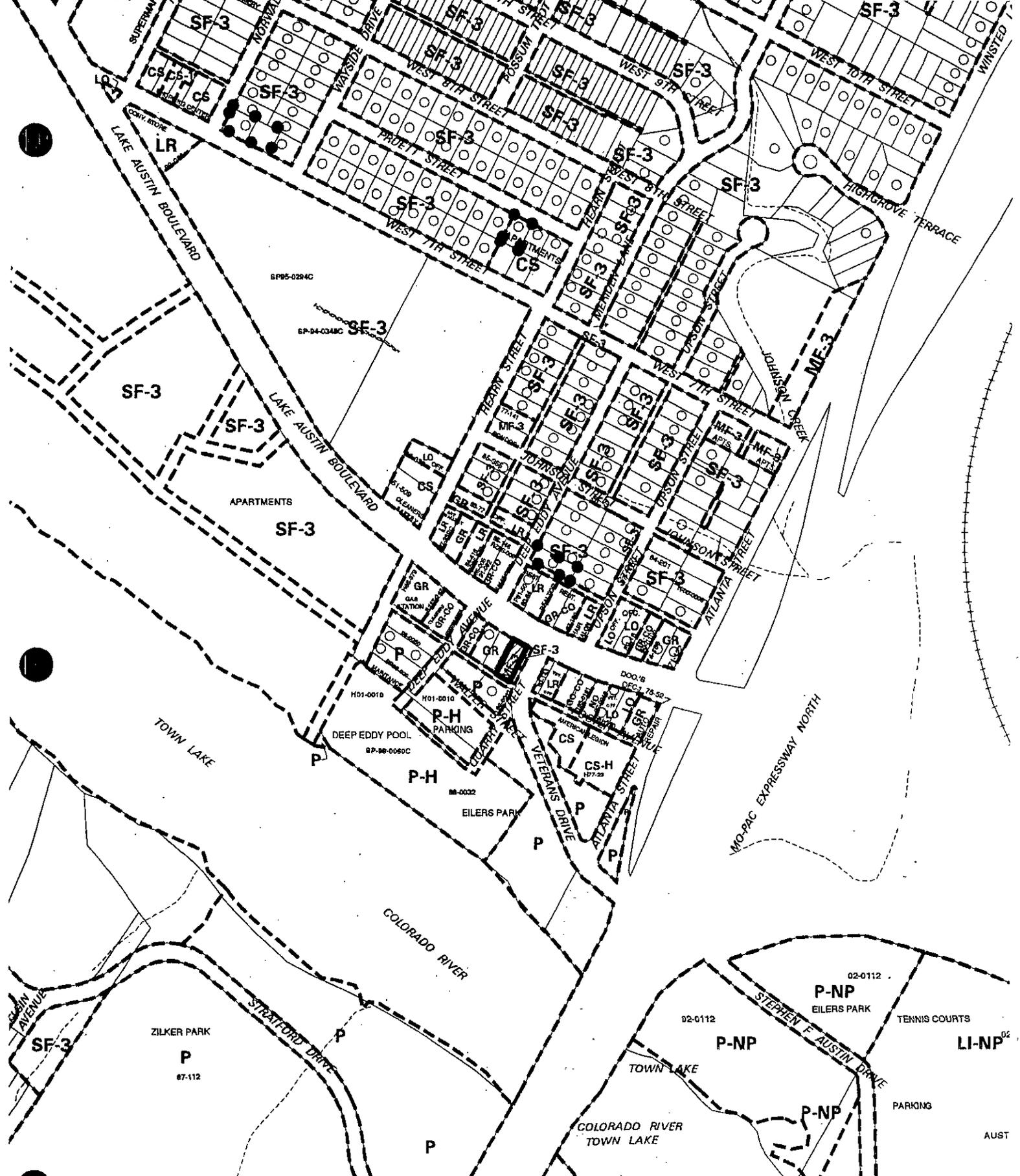
ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Lake Austin Blvd.	96'	53'	Minor Arterial	Yes	Yes	Priority 1
Veteran's Dr.	60'	40'	Collector	Yes	Yes	Priority 2

CITY COUNCIL DATE:

July 27, 2006

ACTION:**ORDINANCE READINGS:**1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us**STAFF RECOMMENDATION**



 1" = 400'	SUBJECT TRACT 	ZONING	CITY GRID REFERENCE NUMBER G23		
	PENDING CASE 				
	ZONING BOUNDARY 				
	CASE MGR: J. ROUSSELIN			CASE #: C14-06-0087	DATE: 06-04
	ADDRESS: 2307 LAKE AUSTIN BLVD			SUBJECT AREA (acres): 0.143	INTLS: SM

2307 Lake Austin Blvd.
C14-06-0087

Legend

- Zoning
- Base
- Center Line

30 0 30 60 Feet

C14-06-0087



Staff's recommends denial of CS-MU (Commercial services – mixed use) district zoning and offers an alternate recommendation of GR-MU-CO. The recommended conditional overlay shall prohibit the following uses:

- Automotive rentals
- Automotive repair services
- Automotive sales
- Automotive washing (of any type)
- Commercial off-street parking
- Pawn shop services
- Service station

The alternate recommendation is based on the following considerations:

- 0.) The intensity of the requested zoning is not compatible with existing commercial and office zoning classifications along Lake Austin Boulevard;
- 0.) GR-MU zoning will allow for the requested uses and is compatible with existing adjacent land uses; and
- 0.) The recommended conditional overlay will further limit incompatible uses within GR zoning.

BASIS FOR RECOMMENDATION

0. The proposed zoning should be consistent with the purpose statement of the district sought.

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The proposed rezoning does not meet the purpose statement of the district sought. The land uses requested are better suited for GR zoning.

2. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The proposed zoning intensity will have a detrimental land use impact on the adjacent land uses. Furthermore, the introduction of more intensive land uses may infringe on the commercial character of the Lake Austin Boulevard.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 0.143 acre (6,250 square feet) site fronting Lake Austin Boulevard zoned MF-3. The site is developed with an existing multi-family structure. Access to the site is via Lake Austin Boulevard to the north and Foster Avenue to the south. The existing watershed regulations limit the amount of impervious cover on this site to 40% for commercial uses. The property lies within the Waterfront Overlay and the University / Deep Eddy Sub-district and will be subject to the provisions of 25-2-721 and 25-2-744. Furthermore, the site will be subject to compatibility standards along the south and east property line abutting "P" and "SF-3" zoning. The site also lies within a scenic roadway.

Transportation

- 0. No additional right-of-way is needed at this time.
- 0. The trip generation under the requested zoning is estimated to be 1,754 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).
- 0. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Environmental

- 0. The site is located over the northern Edward's Aquifer Recharge Zone. The site is in the Town Lake Watershed of the Colorado River Basin, is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code, and lies within the Drinking Water Protection Zone. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

- 0. According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
- 0. The site is not located within the endangered species survey area.
- 0. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 0. At this time, the property is developed and there are no known significant environmental features.
- 0. Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
- 0. At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

Water and Wastewater

- 0. The landowner intends to serve the site with City of Austin water and wastewater utilities.
- 0. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustments are required, the landowner, at own expense, will be responsible for providing.
- 0. Also, the utility plan must be reviewed and approved by the Austin Water Utility.

0. The plan must be in accordance with the City design criteria.
0. The water and wastewater utility construction must be inspected by the City.
0. The landowner must pay the associated and applicable City fees.

Site Plan and Compatibility Standards

0. The site is subject to compatibility standards along the south and east property line. Along the south and east property line, the following standards apply:
 - No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 5 feet of the property line.
 - Vegetative screening or berms shall be provided to screen adjacent SF-5 or more restrictive residential districts from views of off-street parking areas, mechanical equipment, and storage areas for refuse collection. [Section 25-2-1066].
0. Additional design regulations will be enforced at the time a site plan is submitted.
1. Property is within the Waterfront Overlay and the University / Deep Eddy Sub-district and will be subject to the provisions of 25-2-721 and 25-2-744.

§ 25-2-744 UNIVERSITY / DEEP EDDY SUBDISTRICT REGULATIONS.

- (A) This section applies in the University / Deep Eddy subdistrict of the WO combining district.
- (B) The primary setback lines are located:
 - (1) 200 feet landward from the Town Lake shoreline, between Tom Miller Dam and Red Bud Trail; and
 - (2) 300 feet landward from the Town Lake shoreline, between Red Bud Trail and MoPac Boulevard.
- (C) The secondary setback lines are located:
 - (1) 50 feet landward from the primary setback line, between Tom Miller Dam and Red Bud Trail; and
 - (2) 100 feet landward from the primary setback line, between Red Bud Trail and MoPac Boulevard.
- (D) For a primary setback area, a secondary setback area, or an area within 50 feet of a secondary setback line:
 - (1) the maximum building height is 35 feet; and
 - (2) the floor to area ratio may not be increased under Section 25-2-714 (Additional Floor Area).
- (E) For an area not included in a primary setback area or a secondary setback area, the maximum impervious cover is 40 percent.

6-20-08

To whom it may concern:

I Denver Dunlap am writing this letter regarding 2307 Lake Austin Blvd. I accept the staff's recommendations of GR-MU-CO with conditions as stated in the staff report.

Thank You,

Denver Dunlap

Denver Dunlap

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0087

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

June 6, 2006 Zoning and Platting Commission



Your Name (please print)
MINERVA, LTD % DOUG KADISON

2207 LAKE AUSTIN BLVD

Your address(es) affected by this application

Douglas Kadison

Signature

5/25/06

Date

Comments:

THIS IS A COMMERCIAL STREET AND AS SUCH ALL PROPERTY SHOULD BE ZONED CS-MU. IT IS AN INTELLIGENT APPROACH

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-06-0087

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

June 20, 2006 Zoning and Platting Commission

RAYMOND HICKMAN

Your Name (please print)



2315 LAKE AUSTIN BLVD

Your address(es) affected by this application

Signature

Date

Comments

Raymond Hickman
THERE IS FAR TOO MUCH TRAFFIC
ON LAKE AUSTIN BLVD. FOR ANY
TYPE OF RESIDENTIAL USE

RECEIVED

JUN 19 2006

Neighborhood Planning & Zoning

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0087

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

June 20, 2006 Zoning and Platting Commission

MIGUEL MORALES

Your Name (please print)

505 DEEP EDDY AVE

Your address(es) affected by this application

Miguel Morales

Signature

6-15-06

Date

Comments: I AM IN FAVOR OF

THIS ZONING.

RECEIVED

JUN 19 2006

Neighborhood Planning & Zoning

If you use this form to comment, it may be returned to:

City of Austin

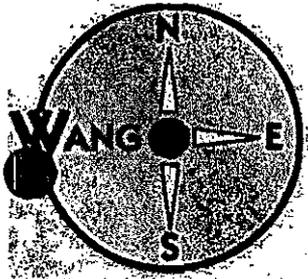
Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810





WEST AUSTIN NEIGHBORHOOD GROUP

P.O. Box 5722 • Austin, Texas 78763-5722

West Austin Neighborhood Group

Organized 1973

"TO PRESERVE OUR NEIGHBORHOOD AND PROTECT IT FROM DETERIORATION."

OFFICERS

Erik Cary
President

Gwen Jewiss
President-Elect

Michael Cannatti
Past President

August Harris
Secretary

Michael Falk
Treasurer

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Joseph Bennett
George Edwards
Michael Falk
Hal Katz
Kathy Kieg
Susan Pascoe
Ken Pfluger
Blake Tollett

HONORARY COMMITTEE MEMBERS

Mary Arnold
Sinclair Black
Hon. Will Wynn

Background Photo of Lime Kiln #FICA24140, Austin History Center, Austin Public Library

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MAY 24 2006

23 May 2006

Jorge Rousselin, Case Manager
Neighborhood Planning and Zoning Department
City of Austin

Neighborhood Planning & Zoning

RE: C14-06-0087; 2307 Lake Austin Boulevard

Dear Jorge Rousselin:

The Executive Committee (ExComm) of West Austin Neighborhood Group (WANG) has voted electronically to oppose the above referenced rezoning request at 2307 Lake Austin Boulevard (LAB). We feel the requested change on the property from MF-3 to CS-MU is a more intense zoning category than is necessary to accomplish the stated goals of the applicant, and as well, will set an unnecessary, and from the perspective of WANG, an unwelcome precedent along this gateway to our neighborhood.

The applicant, Denver Dunlap, has communicated with the neighborhood association through emails and telephone conversations and attended our last regularly scheduled ExComm meeting on 1 May 2006. Attached are copies of some of the email communications. A copy of this letter will be sent to him directly by WANG, as we believe there can be an amicable solution agreeable to the applicant, the neighborhood association and the City.

In the past, WANG has supported the conversion of residential stock along LAB into commercial uses with certain conditions. Attached are some relevant case histories. Our main focus has been the retention of at the minimum the façade of the residential structures as well as unobtrusive signage. We have asked property owners that in exchange for our support for rezoning that they apply for the least intense zoning category commensurate with their proposed land use. In this case, we feel a zoning category of LR-MU with Conditions coupled with a small impervious cover variance for parking would work, and we ask that the City Staff would so recommend.

Thank you for your attention and I am available to work with all parties.

Blake Tollett-West Austin Neighborhood Group
3701 Bonnie Road 78703-2002
477-4028 blake.tollett@earthlink.net

A COMPILATION OF EMAILS AMONG WANG, THE CITY OF AUSTIN AND DENVER DUNLAP

RE: C14-06-0087; 2307 LAKE AUSTIN BOULEVARD

23 MAY 2006

FROM: "Rousselin, Jorge" <Jorge.Rousselin@ci.austin.tx.us>
DATE: May 1, 2006 8:11:44 AM CDT
TO: "Blake" <blake.tollett@earthlink.net>
SUBJECT: RE: C14-06-0087 (2307 LAKE AUSTIN BOULEVARD)

RECEIVED

MAY 24 2006

-----ORIGINAL MESSAGE-----

FROM: BLAKE [mailto:BLAKE.TOLLETT@EARTHLINK.NET]
SENT: SUNDAY, APRIL 30, 2006 9:46 PM
TO: ROUSSELIN, JORGE
CC: WANG ExComm
SUBJECT: C14-06-0087 (2307 LAKE AUSTIN BOULEVARD)

Neighborhood Planning & Zoning

GOOD MORNING JORGE:

WEST AUSTIN NEIGHBORHOOD GROUP HAS AN INTEREST IN THE ABOVE REFERENCED REZONING REQUEST AT 2307 LAKE AUSTIN BOULEVARD. THE NEIGHBORHOOD ASSOCIATION HAS CONSISTENTLY WORKED WITH PROPERTY OWNERS ALONG THIS STRETCH OF LAKE AUSTIN BOULEVARD IN THE CONVERSION OF RESIDENTIALLY ZONED PROPERTY INTO LOCAL ORIENTATED COMMERCIAL PROPERTIES. OUR INITIAL CONCERN WITH THIS REQUEST IS THE INTENSITY OF THE REQUESTED ZONING CATEGORY AS COMPARED TO OTHER SIMILARLY SITUATED PROPERTIES IN THIS AREA. WANG WILL BE MEETING TOMORROW EVENING AT 7PM AT HOWSON BRANCH LIBRARY AND I WAS WONDERING IF THERE IS SOME FURTHER INFORMATION I COULD SHARE WITH THEM CONCERNING THIS CASE? SPECIFICALLY, HAS MR. DUNLAP PUT FORTH A PROJECT REQUIRING THIS INTENSE OF ZONING, OR ARE POTENTIAL PROJECTS GOING TO BE BASED UPON THE OUTCOME OF THE REZONING REQUEST.

AS ALWAYS, THANK YOU FOR YOUR TIME.

**BLAKE TOLLETT-WANG
3701 BONNIE ROAD 78703-2002
477-4028**

FROM: Blake <blake.tollett@earthlink.net>
DATE: April 29, 2006 9:44:46 PM CDT
TO: Denver Dunlap <denverdunlap@sbcglobal.net>
CC: WANG ExComm <wang-board@deepeddy.com>
SUBJECT: C14-06-0087 2307 LAKE AUSTIN BOULEVARD

MR. DUNLAP:

I AM CONTACTING YOU VIA EMAIL AS YOUR ANSWERING MACHINE SUGGESTED. I AM REPRESENTING WEST AUSTIN NEIGHBORHOOD GROUP (WANG), THE NEIGHBORHOOD ASSOCIATION NOTIFIED ABOUT YOUR REQUEST

TO REZONE THE PROPERTY AT 2307 LAKE AUSTIN BOULEVARD FROM ITS CURRENT ZONING OF MF-3 TO CS-MU. WE HAVE A REGULARLY SCHEDULED MEETING THE FIRST MONDAY OF EACH MONTH AT THE HOWSON BRANCH LIBRARY STARTING AT 7PM. YOUR ANSWERING MACHINE STATED YOU WOULD BE OUT OF THE COUNTRY THIS MONDAY 1 MAY THE DAY OF OUR NEXT MEETING, BUT I WANTED TO INFORM YOU THAT WE WILL BE DISCUSSING YOUR REZONING REQUEST AT THIS MEETING.

WANG HAS A HISTORY OF WORKING WITH PROPERTY OWNERS ALONG LAKE AUSTIN BOULEVARD IN THE CONVERSION OF RESIDENTIAL STOCK INTO COMMERCIAL USES. MY INITIAL CONCERN IS THAT THE CS ZONING YOU ARE REQUESTING IS MORE INTENSE THAN THE OTHER ZONING ON PROPERTIES SIMILARLY SITUATED. I WILL ENDEAVOR TO REACH YOUR CITY STAFF CASE MANAGER PRIOR TO OUR MEETING, BUT IF YOU ARE ABLE TO SHED SOME LIGHT ON YOUR REQUEST IT WOULD BE APPRECIATED.

HAVE A SAFE TRIP.

BLAKE TOLLETT-WANG
3701 BONNIE ROAD
512-477-4028

RECEIVED

MAY 24 2006

FROM: Denver Dunlap <denverdunlap@sbcglobal.net>
DATE: May 4, 2006 3:54:55 PM CDT
TO: Blake <blake.tollett@earthlink.net>
SUBJECT: RE: 2307 LAKE AUSTIN BOULEVARD

Neighborhood Planning & Zoning

Blake,

It was nice meeting you as well as getting acquainted with the neighborhood group. My personal goal is to build a strong relationship with you and everyone else who works with or is in support of WANG. I plan on living and working in this neighborhood for years to come and hopefully with everyone's help we can preserve the character of the neighborhood. It is the character of this neighborhood that has drawn me to it. I understand your concerns and have made a priority to visit the city to address the different zonings. I will get back with you as soon as I hear something. Please keep me informed of any meetings that Wang holds. Thank you!

Denver Dunlap

BLAKE <BLAKE.TOLLETT@EARTHLINK.NET> wrote:

Good Afternoon Denver Dunlap:

I am glad you were able to make the meeting Monday evening of the ExComm of WANG. Hopefully our brief conversation enabled you to understand the concerns of the neighborhood association about the intense rezoning you are asking for 2307 LAB. You said you were going to check with the City to see if it would be possible to accomplish your goals for the property under a more restrictive zoning category, and I was wondering if you had been able to do this? As I explained, and can document for you if you would like, the neighborhood

association has consistently worked with property owners along the Boulevard to convert residential stock into local oriented commercial uses. It is your precedent setting CS rezoning request that we are concerned about.

I look forward to hearing from you soon as your rezoning application is at City Staff and we will need to be making a comment for the record in a timely manner.

Blake Tollett

West Austin Neighborhood Association

3701 Bonnie Road 78703-2002

477-4028

RECEIVED

MAY 24 2006

FROM: "denver dunlap" <denverdunlap@sbcglobal.net>

DATE: May 16, 2006 1:26:44 AM CDT

TO: "Blake" <blake.tollett@earthlink.net>

SUBJECT: RE: 2307 LAKE AUSTIN BOULEVARD

Neighborhood Planning & Zoning

BLAKE,

I THINK THE REASON WHY THEY SUGGESTED A CS ZONING IS BECAUSE OF THE 95% IMPERVIOUS COVER. INITIALLY I DISCUSSED TO HIM MY INTENTIONS OF THE ZONING CHANGE. I EXPLAINED TO HIM WHILE I WAS GOING TO LIVE IN THE WEST UNIT, THAT I WAS GOING TO OFFICE OUT OF MY NORTH UNIT WHICH FRONTS LAKE AUSTIN BLVD, AND OPEN A LOCAL JUICE BAR IN THE SOUTH UNIT. THIS 95% IMPERVIOUS COVER WOULD ALLOW ME TO PUT A FEW PARKING SPOTS ON THE FRONT OF THE PROPERTY. I HAVE PLANS TO PLANT NEW PLANTS IN THE FLOWERBEDS IN FRONT OF MY PROPERTY AS WELL AS REPAINT IT. CURRENTLY IT IS AN EYESORE BUT MY PLANS ARE TO REALLY IMPROVE THE FRONT OF THE PROPERTY SO IT WILL APPEAL TO MY NEIGHBORS AND PASSER BY'S. I LOVE MY PROPERTY, THE AREA, AND THE ENERGY THAT THIS AREA PUTS OUT.

**DENVER DUNLAP
512-563-0000 CELL**

HISTORY OF REZONING REQUESTS ALONG LAKE AUSTIN BOULEVARD FROM THE FILES OF WEST AUSTIN NEIGHBORHOOD GROUP

RE: C 14-06-0087; 2307 LAKE AUSTIN BOULEVARD

RECEIVED

23 MAY 2006

MAY 24 2006

C 14R-85-331

2203 & 2205 LAKE AUSTIN BOULEVARD (LAB)

Neighborhood Planning & Zoning

THIS 1985-86 CASE REZONED THESE PROPERTIES FROM SF-3 TO LO.

C 14-87-170

2203 & 2205 LAB

THIS 1987-88 ATTEMPT TO TAKE THE PROPERTIES FROM LO TO GR WAS NOT RECOMMENDED BY CITY STAFF. WANG OFFERED TO SUPPORT THIS REZONING REQUEST CONDITIONED ON "...YOU AGREE TO GR-CO LIMITED TO LR SITE DEVELOPMENT REGULATIONS AND LR USES WITH THE ADDITION OF GENERAL RESTAURANT USE...TO LIMIT IMPERVIOUS COVERAGE TO LESS THAN 50 % OF THE TOTAL AREA...(AND) TO PRESERVE THE EXISTING FAÇADE OF THE BUILDING WHICH FACES LAKE AUSTIN BOULEVARD." ACCORDING TO A NOTE IN THE FILE, THE APPLICANT WITHDREW HIS APPLICATION BECAUSE HE COULDN'T COMPLY WITH THE TOWN LAKE OVERLAY ZONE ICC LIMITATIONS.

C 14-99-0105

2204 LAB

THIS WAS A 1999 REQUEST FOR REZONING FROM SF-3 TO GR. FROM A WRITING BETWEEN WANG AND THE APPLICANT, WANG AGREED "...TO SUPPORT YOUR APPLICATION TO REZONE...FROM SF-3 TO GR-CO AND ALSO YOUR APPLICATION FOR MIXED USE ZONING...(Y)OU AGREE TO A CONDITIONAL OVERLAY OF GR-CO LIMITED TO LR SITE DEVELOPMENT REGULATIONS AND GR USES BUT OMITTING THE FOLLOW COMMERCIAL AND CIVIC USES..." OTHER MUTUALLY AGREED UPON CONDITIONS DEALT WITH SIGNAGE, THAT THE BUILDING WOULD BE ACCESSED FROM THE NORTH SIDE, THE RETENTION OF THE BUILDINGS ORIGINAL FAÇADE OR IF NECESSARY THE REPLICATION OF THE BUILDING'S HISTORICAL FAÇADE, AND COMPATIBILITY WITH NEIGHBORING STRUCTURES.

C 14-92-0049

2207 LAB

WANG SUPPORTED THE PROPERTY OWNER'S 1992 REQUEST TO CHANGE THE ZONING ON THIS PROPERTY FROM SF-3 TO NO. IN CONSIDERATION OF THIS SUPPORT THE APPLICANT AGREED TO MAINTAIN AN IMPERVIOUS COVERAGE OF NOT MORE THAN 50% AND TO RETAIN THE FAÇADE OF THE BUILDING THAT FACES LAB, AMONGST OTHER CONDITIONS.

C 14-93-0161

2209-2211 LAB

THIS IS A 1993 REQUEST TO REZONE 2209 LAB (SF-3) AND 2211 LAB (LO) TO GO-CO. WITH WANG SUPPORT, THE REZONING WAS GRANTED CONDITIONED ON SUCH REQUIREMENTS AS NO MEDICAL OFFICE, NO POLE OR INTERNALLY LIT SIGNAGE AND THE PRESERVATION OF THE EXISTING BUILDING FAÇADE FACING LAB.

2301 LAB

THERE WAS A 1989 REQUEST TO CHANGE THE PROPERTY'S ZONING FROM LO TO LR. WANG SUPPORTED THE REZONING WITH CONDITIONS SUCH AS PROHIBITING PENNING OR BOARDING ANIMALS OUTSIDE.

C14-87-182

2302-2304 LAB

WANG SUPPORTED THE 1987 REQUESTED REZONING OF THE PROPERTY FROM LR TO GR-CO WITH THE CONDITION THAT THE SITE BE LIMITED TO LR DEVELOPMENT REGULATIONS AND USES WITH THE ADDITION OF GENERAL RESTAURANT USE.

C14-91-0092

2402 LAB

WANG SUPPORTED THE REZONING OF THE PROPERTY IN 1991 FROM LR TO GR-CO. THE CONDITIONAL OVERLAY RESTRICTED THE PROPERTY TO SITE DEVELOPMENT REGULATIONS LISTED FOR LR DISTRICTS EXCEPTING A MINIMUM FRONT YARD SETBACK OF 10 FEET AND A MINIMUM SIDE STREET YARD SETBACK OF 13 FEET EXCEPT FOR UNDERGROUND STORAGE TANK FACILITIES.

C14-84-416

2404 LAB

IN 1984 WANG SUPPORTED THE CHANGE OF ZONING FROM SF-3 TO LR AS BEING IN KEEPING WITH THE NEIGHBORHOOD'S GOAL OF ALLOWING LOCAL ORIENTATED RETAIL ALONG LAB AS PER THE NEIGHBORHOOD PLAN.

R-85-379

2407 LAB

THIS WAS A REZONING REQUEST FROM LR TO GR FOR THE PROPERTY. NOTHING ELSE IS REFLECTED IN THE FILE.

C14-87-023

2408 LAB

THIS IS A 1987 REZONING REQUEST FOR THE PROPERTY FROM SF-3 TO LR. AFTER SOME DISCUSSION, WANG SUPPORTED THE REZONING AND APPLICANT AGREED TO CONDITIONS SUCH AS NO CURB CUTS ON LAB, IMPERVIOUS COVERAGE LESS THAN 50%, EXISTING FAÇADE PRESERVATION AND GENERAL TREE PROTECTION LANGUAGE.

RECEIVED

MAY 24 2006

Neighborhood Planning & Zoning

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0087
Contact: Jorge Rousselin, (512) 974-2975
Public Hearing:
June 20, 2006 Zoning and Platting Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

LEWIS E. + MARGARET DICKENS

Your Name (please print)

507 DEEP EDDY AVE AUSTIN,
TX 78703

Your address(es) affected by this application

Lewis E. Dickens + Margaret Dickens 6/13/06

Signature

Date

Comments:

RECEIVED

JUN 16 2006

Neighborhood Planning & Zoning

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810

Rousselin, Jorge

From: Stephen Wolff [swolff98@austin.rr.com]
Sent: Friday, June 16, 2006 2:27 PM
To: Rousselin, Jorge
Subject: Case # C14-06-0087 2307 Lake Austin Blvd

RECEIVED

JUN 16 2006

June 16, 2006

TO: Jorge Rousselin

FROM: Stephen Wolff, 510 Deep Eddy Avenue, Austin, 78703

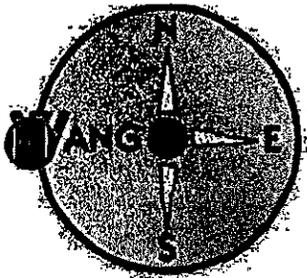
Neighborhood Planning & Zoning

SUBJECT: Case # C14-06-0087 2307 Lake Austin Blvd

I OBJECT TO THIS ZONING CHANGE.

I have spoken with the applicant, Denver Dunlap, at a Neighborhood Association meeting. What he states he intends to do on this property, a 4-unit residence, is live in one unit, rent out 2 units, and operate a "smoothie shop" out of the fourth unit. I completely support this use as it is very appropriate for the neighborhood and that location would seem to be ideal with it's close proximity to Deep Eddy Pool, Eilers Park, the trailhead of the Town Lake trail, Austin High School, and my house. What I object to is the intensity of the zoning change that is being requested. CS-MU, with it's 60-foot building height allowance, is simply not appropriate, and I'm curious to understand why the City agency Mr. Dunlap spoke with even recommended CS zoning in a scenic corridor where there are several similar businesses in very close proximity operating under GR and GR-CO zoning. I respectfully suggest that GR-CO is the appropriate zoning and I would support that.

Stephen Wolff
510 Deep Eddy Avenue
swolff98@austin.rr.com



WEST AUSTIN NEIGHBORHOOD GROUP

West Austin Neighborhood Group

P.O. Box 5722 • Austin, Texas 78763-5722

Organized 1973

*"TO PRESERVE OUR
NEIGHBORHOOD
AND PROTECT IT FROM
DETERIORATION."*

OFFICERS

Erik Cary
President

Gwen Jewiss
President-Elect

Michael Cannatti
Past President

August Harris
Secretary

19 JULY 2006

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JUL 19 2006

Neighborhood Planning & Zoning

Michael Falk
Treasurer

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- Ken Pfluger
- Blake Tollett

HONORARY COMMITTEE MEMBERS

- Mary Arnold
- Sinclair Black
- Hon. Will Wynn

JORGE ROUSSELIN
NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT
CITY OF AUSTIN

RE: C14-06-0087; 2307 LAKE AUSTIN BOULEVARD

DEAR JORGE ROUSSELIN:

THE EXECUTIVE COMMITTEE OF WEST AUSTIN NEIGHBORHOOD GROUP (WANG), VIA ELECTRONIC COMMUNICATION, HAS ACCEPTED AND SUPPORTS THE UNANIMOUS RECOMMENDATION OF THE ZONING AND PLATTING COMMISSION ON THE ABOVE REFERENCED REZONING REQUEST AT 2307 LAKE AUSTIN BOULEVARD, SPECIFICALLY:

SUMMARY ZONING AND PLATTING RECOMMENDATION:

JUNE 20, 2006:

APPROVED STAFF'S RECOMMENDATION FOR GR-MU-CO ZONING WITH

CONDITIONS:

THE RECOMMENDED CONDITIONAL OVERLAY SHALL PROHIBIT THE FOLLOWING USES:

NO VEHICULAR ACCESS TO LAKE AUSTIN BLVD.
LIMITED TO LR (NEIGHBORHOOD COMMERCIAL) STANDARDS & SITE REGULATIONS

PROHIBITED USES:

- AUTOMOTIVE RENTALS
- AUTOMOTIVE REPAIR SERVICES
- AUTOMOTIVE SALES
- AUTOMOTIVE WASHING (OF ANY TYPE)
- COMMERCIAL OFF-STREET PARKING
- DAY CARE SERVICES (COMMERCIAL)
- EXTERMINATING SERVICES
- FINANCIAL SERVICES

FUNERAL SERVICES
GUIDANCE SERVICES
HOSPITAL SERVICES
HOTEL-MOTEL
INDOOR ENTERTAINMENT
MEDICAL OFFICES (EXCEEDING 5, 000 SQ. FT. OF GROSS FLOOR
AREA
OUTDOOR SPORTS AND RECREATION
PAWN SHOP SERVICES
PET SERVICES
SERVICE STATION
[M.HAWTHORNE, J.PINNELLI 2ND] (7-0) J.GOHIL, S.HALE - ABSENT

PLEASE INCLUDE THIS LETTER IN THE STAFF SUBMITTAL TO COUNCIL,
AND I WILL SEND A COPY OF IT TO THE OWNER/APPLICANT DENVER DUNLAP.
THANK YOU AS ALWAYS.

SINCERELY;

A handwritten signature in black ink, appearing to read "Blake Tollett, Wang". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

BLAKE TOLLETT, WANG
PO Box 5722/78763-5722

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 2307 LAKE AUSTIN BOULEVARD FROM
3 MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-2) DISTRICT TO
4 COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-
5 MU-CO) COMBINING DISTRICT.

6
7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

8
9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from multifamily residence medium density (MF-3) district to
11 community commercial-mixed use-conditional overlay (GR-MU-CO) combining district
12 on the property described in Zoning Case No. C14-06-0087, on file at the Neighborhood
13 Planning and Zoning Department, as follows:

14
15 Lot 10, Block 1, Johnson's River Addition, a subdivision in the City of Austin,
16 Travis County, Texas, more particularly described in a deed of record in Document
17 No. 2006058640, of the Official Public Records of Travis County, Texas (the
18 "Property"),

19
20 locally known as 2307 Lake Austin Boulevard, in the City of Austin, Travis County,
21 Texas, and generally identified in the map attached as Exhibit "A".

22
23 **PART 2.** The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:

25
26 1. The following uses are prohibited uses of the Property:

- | | | |
|----|--|--|
| 27 | Automotive rentals | Automotive repair services |
| 28 | Automotive sales | Automotive washing (of any type) |
| 29 | Commercial off-street parking | Pawn shop services |
| 30 | Service station | Financial services |
| 31 | Hotel-motel | Medical offices (exceeding 5000 sq.ft. |
| 32 | Medical offices (not exceeding 5000 sq.ft. | of gross floor area) |
| 33 | of gross floor area) | Day care services (commercial) |
| 34 | Hospital services | Exterminating services |
| 35 | Funeral services | Indoor entertainment |
| 36 | Outdoor sports and recreation | Pet services |
| 37 | Guidance services | |
| 38 | | |

- 2 2. Drive-in service use is prohibited as an accessory use to a commercial use.
3
4 3. Vehicular access from the Property to Lake Austin Boulevard is prohibited. All
5 vehicular access to the Property shall be from other adjacent public streets or through
6 other adjacent property.
7
8 4. Development of the Property shall comply with neighborhood commercial site
9 development regulations.
10

11 Except as specifically restricted under this ordinance, the Property may be used in
12 accordance with the regulations established for the community commercial (GR) base
13 district and other applicable requirements of the City Code.
14

15 **PART 3.** This ordinance takes effect on _____, 2006.
16

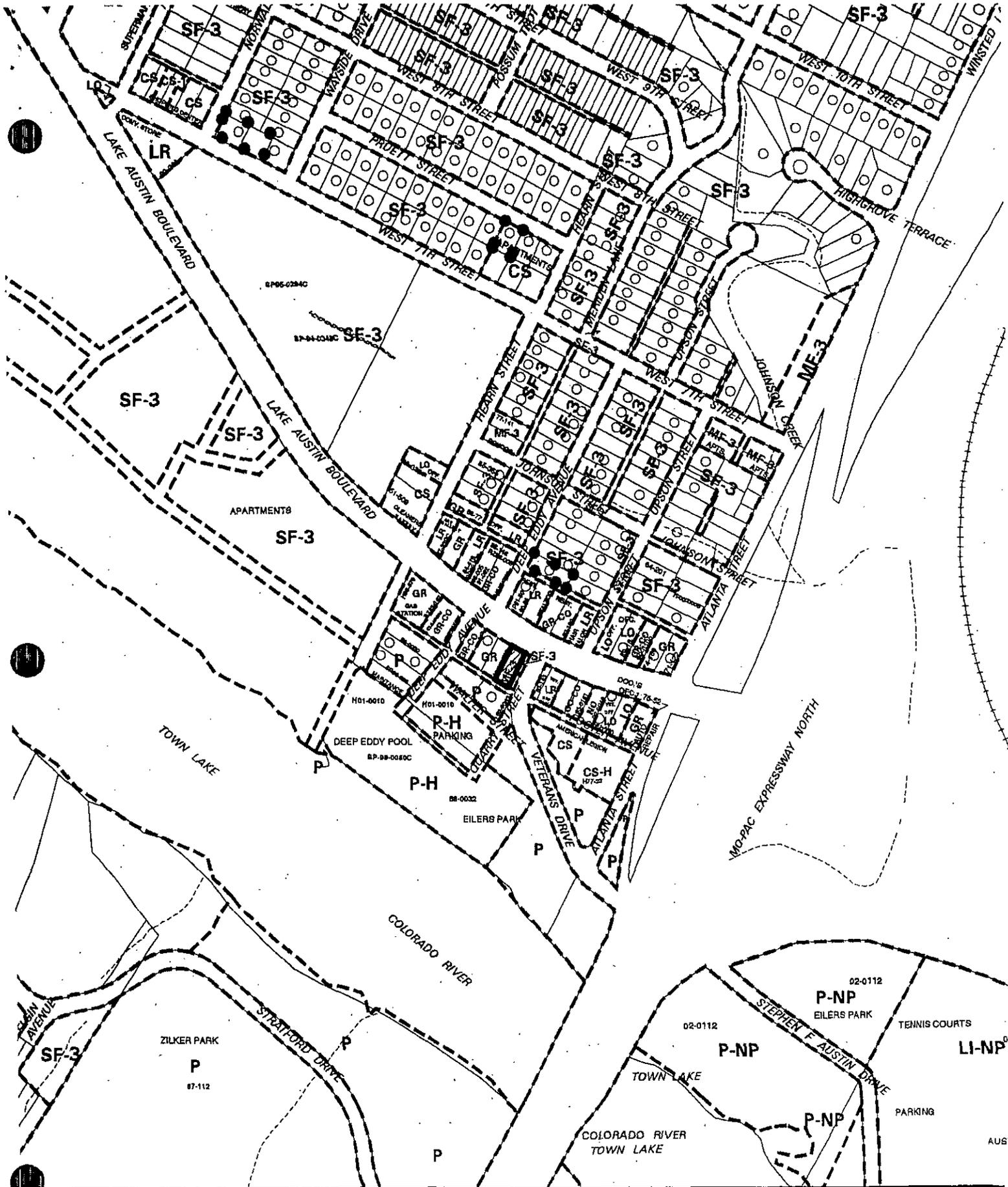
17
18 **PASSED AND APPROVED**

19
20
21 _____, 2006 §
22 §
23 §

24 Will Wynn
25 Mayor

26
27 **APPROVED:** _____
28 David Allan Smith
29 City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A CASE #: C14-06-0087 ADDRESS: 2307 LAKE AUSTIN BLVD SUBJECT AREA (acres): 0.143	DATE: 06-04 INTLS: SM	CITY GRID REFERENCE NUMBER G23
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: J. ROUSSELIN			